

STATE OF WASHINGTON



OFFICE OF
INSURANCE COMMISSIONER

In the Matter of

**The Market Conduct Examination
of Massachusetts Mutual Life Insurance
Company.**

)
) No. G 2000 - 08
)
) AMENDED FINDINGS,
) CONCLUSIONS, AND
) ORDER ADOPTING REPORT
)

BACKGROUND

An examination of the market conduct of Massachusetts Mutual Life Insurance Company (the Company) for the period January 1, 1992, to December 31, 1996, was conducted by market conduct examiners of the Washington State Office of the Insurance Commissioner. The Company is an insurer authorized under RCW 48.05.030. This examination was conducted in compliance with the laws and regulations of the State of Washington and in accordance with the procedures promulgated by the National Association of Insurance Commissioners and the Office of the Insurance Commissioner. This examination was limited to Marketing, Agents, Complaints, Disciplinary Procedures, Policies, Replacements, and Advertising.

The examination report with the findings and recommendations was transmitted to the Company for their comments on October 5, 1999. Response to the draft report was received on November 8, 1999.

The Commissioner or a designee has considered the report, the relevant portions of the examiner workpapers, and the submission by the Company. The report was modified to reflect new information provided by the company in their response to the draft report.

Subject to the right of the Company to demand a hearing pursuant to chapters 48.04 and 34.05 RCW, the Commissioner adopts the following findings, conclusions, and order.

FINDINGS

The Commissioner adopts as findings the findings of the examiners as contained in the report.

CONCLUSIONS

It is appropriate and in accordance with law to adopt the attached examination report as the final report of the market conduct of the Company.

ORDER

The examination report as filed, attached hereto and incorporated by reference, is hereby **ADOPTED** as the final examination report and replaces any order previously entered in this matter.

It is **ORDERED** that the Company comply with the Instructions in the Report as follows (the page and other references are to the report):

1. The company is instructed to obtain a copy of the notice required by WAC 284-23-455 (2)(a) from the agent for every replacement and retain it in their files. (*See appendix 1*).
2. The company is instructed to review each application for accuracy and completion of each question pertaining to replacement in accordance with WAC 284-23-440. (*See appendix 1*).
3. The company is instructed to require a statement signed by the agent or broker as to whether he or she knows replacement is or may be involved in a transaction. The company is instructed to obtain a proper statement for each application as required by WAC 284-23-455(1). (*See appendix 1*).
4. The company is instructed to comply with RCW 48.17.160(1)(2) and ensure that all agents and brokers are properly licensed and appointed in the state prior to soliciting on behalf of the Company. (*See appendix 2 and appendix 3*).
5. The company is instructed to immediately refrain from accepting any altered application without first obtaining an appropriate amendment signed by the applicant, as required by RCW 48.18.070. (*See appendix 4*).

ENTERED at Lacey, Washington, this 8th day of February, 2000.

DEBORAH SENN

Insurance Commissioner

By:

WILLIAM E. FRANDSEN

Deputy Commissioner